

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office JAN 26 1994

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed FEB 26 1975 under 02812

The applicant NEVADA DEPARTMENT OF TRANSPORTATION  
1263 SOUTH STEWART STREET of CARSON CITY  
Street and No. or P.O. Box No. City or Town

NEVADA 89712 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.  
place of use and manner of use

Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Proof of Appropriation No. 02813 of the decree of  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
Davis Creek and Tributaries, Second Judicial District Court of the State of Nevada  
Identify right in Decree.

1. The source of water is Davis Creek and tributaries  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.285 cfs- 45.56 acre feet  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for wildlife purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation and stockwatering  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point same as in item no. 6  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within The SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T17N, R19E,  
If point of diversion is not changed, do not answer.  
MDB&M, or at a point from which the SE Corner of said Section 27 bears S73°49'E,  
a distance of 2,009 feet.

7. Proposed place of use All or portions of Sections 24, 25, 26, 35, and 36, T17N, R19E,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
MDB&M All or portions of  
Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, and 26 T16N, R19E, MDB&M All or  
portions of Sections 6, 7, 17, 18, 19, 20, and 30, T16N, R20E, MDB&M

8. Existing place of use Section 35-3.34 ac NW $\frac{1}{4}$  NW $\frac{1}{4}$ ; Section 26-6.35 ac SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.70 ac  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
NW $\frac{1}{4}$  SW $\frac{1}{4}$ , all in T17N, R19E, MDB&M

9. Use will be from as decreed to \_\_\_\_\_ of each year.  
Month and Day Month and Day
10. Use was permitted from as decreed to \_\_\_\_\_ of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) existing dams and ditches will be utilized  
State manner in which water is to be diverted, i.e. diversion structure,  
to transport water to the place of use  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works none-existing
13. Estimated time required to construct works none-existing

14. Estimated time required to complete the application of water to beneficial use one year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please use the map filed to support Proof of Appropriation No. 02812 to show the existing points of diversion and place of use. Please use the map filed to support Application No. 59382 to show the proposed place of use.

By Jon L. Bunch-Manager  
Right of Way Engineering  
s/Jon L. Bunch  
1263 South Stewart Street  
Carson City, NV 89712

Compared bc/bc dl/cms

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of Davis Creek and tributaries, as heretofore appropriated under Proof 02813 as appears in the Matter of the Determination of Relative Rights in and to the Waters of Davis Creek and tributaries, in the District Court of the Second Judicial District of the State of Nevada, in and for the County of Washoe is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59721, 59722, 59723 and 59724 shall not exceed 189.6 acre-feet as decreed.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.285 cubic feet per second but not to exceed 45.56 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before March 1, 2000

Proof of completion of work shall be filed before April 1, 2000

Application of water to beneficial use shall be made on or before March 1, 2001

Proof of the application of water to beneficial use shall be filed on or before April 1, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed APR 28 2000

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 1st day of March

A.D. 19 99

Michael Turnipseed P.E.  
 State Engineer

CANCELLED MAY 17 2001 BECAUSE OF FAILURE  
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
Justucci, P.E.  
 STATE ENGINEER